



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

Minutes of the House Standing Committee
On
Oversight and Ethics

Thursday, May 7, 2015

10:30 a.m.

Room 326 House Office Building

The House Standing Committee on Oversight and Ethics was called to order by Representative Ed McBroom, Chair.

The Clerk called the roll; members present were **Representatives McBroom, Howrylak, Graves, Theis, Robinson, and Pagan. (6/6)**

The Clerk announced that a quorum was present.

The Chair laid before the committee the minutes of April 30, 2015 as printed.

Representative Theis moved to adopt the minutes of April 30, 2015 as printed.

There being no objection the motion prevailed by unanimous consent of the members present; the minutes were adopted as printed.

The Chair laid before the committee House Bill 4070.

HB 4070 (Heise)

Public employees and officers; ethics; incompatible offices exception for public safety positions; create for small local units of government.

Representative Heise, the bill sponsor, explained the substitute for his bill.

Representative Howrylak offered and moved to adopt the substitute (H-2) for House Bill 4070.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives McBroom, Howrylak, Graves, Theis, Robinson, and Pagan, (6/6)

Nays: None. (0/6)

The substitute was adopted.

Representative Howrylak moved to report House Bill 4070 with the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives McBroom, Howrylak, Graves, Theis, Robinson, and Pagan, (6/6)

Nays: None. (0/6)

The bill and substitute were referred to the full House.

The following individuals submitted testimony cards in support, but did not wish to speak:

Judy Allen, Director of Legislative Affairs for the Michigan Townships Association,
and

Nikole Brown, Legislative Associate in State Affairs in the Michigan Municipal League.

The Chair laid before the committee House Bills 4522 and 4523.

HB 4522 (McBroom) Legislature; committees; authority to subpoena records and files; expand to include access to local public bodies.

HB 4523 (McBroom) Legislature; committees; powers of legislative committees regarding issuance of subpoenas; modify.

The Chair offered and moved to adopt the substitute (H-1) for House Bill 4522.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives McBroom, Howrylak, Graves, Theis, Robinson, and Pagan, (6/6)

Nays: None. (0/6)

The substitute was adopted.

Representative Pagan offered and moved to adopt the following amendment to House Bill 4522 (H-1):

1. Amend page 3, following line1, by inserting:

“Enacting section2. This amendatory act does not take effect unless House Bill No.4283 of the 98th Legislature is enacted into law.”

The motion did not prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representative Pagan, (1/6)

Nays: Representatives McBroom, Howrylak, Graves, Theis, and Robinson. (5/6)

The amendment was not adopted.

The Chair offered the substitute (H-2) for House Bill 4523.

Representative Theis moved to adopt the substitute (H-2) for House Bill 4523.

The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the committee, voting as follows:

Yeas: Representatives McBroom, Howrylak, Graves, Theis, Robinson, and Pagan, (6/6)

Nays: None. (0/6)

The substitute was adopted.

The following individuals submitted testimony cards in opposition to the bills, but did not wish to speak:

Megan Noland, State and Federal Coordinator at the Oakland County Sheriff's Office;

Brad Biladeau, Associate Executive for Government Relations for the Michigan Association of School Administrators; and

Ben Bodkin, Lobbyist for Capitol Services representing the Michigan Sheriffs Association.

The Chair laid before the committee the Performance Audit of Data Security Using Mobile Devices.

Charles Robert Kern, II Principal Audit Supervisor in the Audit Division in the Office of the Auditor General, provided each member of the committee with copies of the Performance Audit of Data Security Using Mobile Devices, Michigan Department of Technology, Management, and Budget (Report Number 071-0555-14, January 2015), which is attached, and gave an overview of the audit. Discussion and questions followed.

John Juarez, Chief of Internal Control and Compliance in the Financial Services Division in the Michigan Department of Technology, Management and Budget, and Rodney Davenport, Chief Technology Officer in the Office of Technology in the Michigan Department of Technology, Management and Budget provided the response to the audit report. Questions and discussion followed.

The Chair laid before the committee the Performance Audit of the Motor Vehicle Title and Registration Process.

Laura J. Hirst, C.P.A., Deputy Auditor General, provided each member of the committee with copies of the Performance Audit of the Office of the Rail, Michigan Department of Transportation (Report Number 231-0200-14, January, which is attached, and gave an overview of the audit. Discussion and questions followed.

Kieran Marion, Director of Office of Policy Initiatives in the Michigan Department of State, introduced James Fackler, Assistant Administrator in the Customer Service Administration in the

Michigan Department of State, who provided the response to the audit report. Discussion and questions followed.

The Chair informed the committee the Chair of the Appropriations Subcommittee on Education, Representative Potvin, has requested the referral of two audit reports.

Representative Pagan moved to refer the Performance Audit of the Office of Field Services (Report Number 313-0300-14, November 2014), Michigan Department of Education to the Committee on Appropriations with recommendation the Committee on Appropriations refer it to the Subcommittee on Education.

Yeas: Representatives McBroom, Howrylak, Graves, Theis, Robinson, and Pagan, (6/6)

Nays: None. (0)

The performance audit was referred.

Representative Pagan moved to refer the Performance Audit of the Office of Special Education (Report Number 313-0180-14, November 2014), Michigan Department of Education to the Committee on Appropriations with recommendation the Committee on Appropriations refer it to the Subcommittee on Education.

Yeas: Representatives McBroom, Howrylak, Graves, Theis, Robinson, and Pagan, (6/6)

Nays: None. (0)

The performance audit was referred.

There being no other business before the committee; **Representative Graves moved to adjourn the meeting.**

The motion prevailed, the time being 11:40 a.m.

The Chair declared the Committee adjourned.

Ed McBroom, Chair
House Standing Committee on Oversight and Ethics

Joy Brewer, Committee Clerk

Date approved by the committee